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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

#6

IN RE APPLICATION OF: :  
Hiroyuki ISHIWATA, et al. : GROUP ART UNIT: 1624  
SERIAL NO.: 09/978,102 :  
FILED: October 17, 2001 : EXAMINER: Brenda Coleman  
FOR: DIAMIDE COMPOUND AND :  
MEDICINE CONTAINING  
THE SAME

ELECTION & RESPONSE TO RESTRICTION REQUIREMENT

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

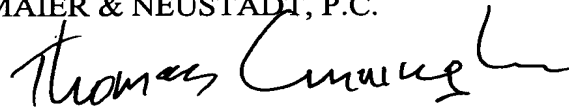
In response to the Restriction Requirement mailed April 29, 2003, the Applicants elected with traverse **Group III**, Claims 14-26, directed to compounds, compositions and a method of use of the compounds of formula (I), where W is diazepine.

The traverse is on the basis that the Office has not established that Groups I – VII do not relate to a single general inventive concept, especially as these groups all share the common structure of formula (I) shown in Claim 14. Moreover, the Applicants respectfully submit that no undue burden would be imposed on the Examiner in conducting an Examination of Groups I-VII together, because compounds of general formula (I) are encompassed by each group.

Accordingly, the Applicants respectfully request that the Restriction Requirement be withdrawn and all the claims be examined together.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
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